



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10**

1200 Sixth Avenue, Suite 900  
Seattle, WA 98101-3140

OFFICE OF  
ENVIRONMENTAL CLEANUP

April 27, 2010

Elizabeth M. Weaver  
Howrey LLP  
550 South Hope Street, Suite 1100  
Los Angeles, CA 90071-2627

Re: Foster Poultry Farms Request for Extension of Response to First Request for Information;  
Portland Harbor Superfund Site, Portland, Oregon

Dear Ms. Weaver:

EPA is in receipt of your email dated April 21, 2010, requesting an additional extension of time for response to EPA's letter dated March 8, 2010, regarding follow-up to the First Request for Information; Portland Harbor Superfund Site, Portland, Oregon, for Foster Poultry Farms. In your email, you requested an extension of 30 days (May 31, 2010) to respond. Based upon the circumstances you presented, EPA believes that your extension request is reasonable and has extended the due date for your response to this first Information Request to May 31, 2010. Please note that this will be the last extension granted notwithstanding extraordinary circumstances outside of your control.

Failure to respond fully and truthfully to the Information Request by the due date provided in this letter may result in an enforcement action by EPA. Under Section 104(e)(5)(B) of CERCLA, 42 U.S.C. § 9604(e)(5)(B), pursuant to the Federal Civil Penalties Inflation Adjustment Act of 1990, 28 U.S.C. § 2461, as amended by the Debt Collection Improvement Act of 1995, 31 U.S.C. § 3701, EPA is authorized to commence an action to assess civil penalties of not more than \$37,500 per day for each day of noncompliance against any person who unreasonably fails to comply with an Information Request.

Please note that responses which are incomplete, ambiguous or evasive may be treated as non-compliant with this Information Request. Also be further advised that provision of false, fictitious or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001. You have an ongoing duty under this first Information Request to supplement your response with any additional information or documents that become available or known to you after you submit your response. This Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. § 3501.

If you have any general questions about the Site, you may call Kristine Koch at (206) 553-6705, or contact her by email at [koch.kristine@epa.gov](mailto:koch.kristine@epa.gov). If you have legal questions about this letter or if you are represented by legal counsel, you or your attorney may contact Lori Houck Cora, Assistant Regional Counsel, at (206) 553-1115 or [cora.lori@epa.gov](mailto:cora.lori@epa.gov). Thank you for your cooperation in this matter.

Sincerely,



Deb Yamamoto, Unit Manager  
Site Cleanup Unit #2  
Office of Environmental Cleanup